

Amendment A
Application No. 10/604,235
Amendment Dated April 8, 2008
Reply to Office Action of December 12, 2007
Attorney Docket No.: 718403.3

REMARKS

The present application includes claims 1-83. Claims 1-83 were rejected. By this Amendment, claims 1, 3, 7-8, 10, 12, 14, 16 and 74 are amended; claims 6, 9, 11, 13, 15, 17-73, 75-78, and 81-82 are cancelled; and claims 84-90 are added.

Claims 1-83 were objected to because of improper claim numbering. By this amendment, the claims are appropriately numbered. However, it should be pointed out that the original numbering of the claims as they appear in the application was not Applicant's doing. Instead, it is respectfully noted that the numbering of the claims as they appear in the present application was a direct result of electronically filing the subject application with the USPTO. It was the USPTO software utilized at the time of the filing of this application, namely, July 2, 2003, which resulted in the numbering of the claims as they appear in the present application. In fact, all applications electronically filed during this time frame had the claims numbered as they appear in the present application, namely, [c1], [c2], etc. Correction has been made.

Claim 25 was objected to because in line 5, "via said unit" needed to be changed to "via said unit." Claim 25 has been cancelled by this amendment.

Claim 74 was objected to because in lines 29 and 30, "unit; and and further" needed to be changed to "unit; and further". Claim 74 is currently amended to make this change.

Claims 1-20, 22-29, 31-37, 39-45, and 53-83 were rejected under 35 U.S.C. 102(e) as being anticipated by Barnes (US 2003/0065805).

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Claims 21, 30, 38, and 46-52 were rejected under 35 U.S.C. 103(a) as being unpatentable over Barnes in view of Hoffberg (US 6,252,544).

The Applicant now turns to the rejections of claims 1-20, 22-29, 31-37, 39-45, and 53-83 under 35 U.S.C. 102(e) as being anticipated by Barnes (US 2003/0065805). Regarding claims 6, 9, 11, 13, 15, 17, 74, 79-80 and 83, the Examiner states that "Barnes teaches a unit which includes a display portion and an interface portion, said unit adapted such that a user can interact, via the interface portion, with a virtual environment depicted on said display portion (para. 36, lines 1-8)." However, Barnes does not teach a device which displays a location specific virtual environment of a business or product based on the unit location specific informational data, and which allows a user to interact with that virtual environment. Indeed, Barnes is silent as to virtual 3-D environments.

Claims 6, 9, 11, 13, 15, 17, 74, 79-80 and 83 all recite a unit that is adapted to display and allow a user to interact with a virtual environment. Indeed, Paragraph 48 states that the unit may provide the user with a virtual walkthrough or tour of a location or product which may be near to the location of the device at that time, based on unit location specific informational data. For example, a user could view and "walk through" a virtual tour of an entire facility which is proximate to the user and the device; the user could see "the layout, décor, and the like, of various [businesses] prior to deciding which to patronize without having to travel to each individual location." (Para. 48, lines 5-12). The virtual environments displayed are of places or

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things in the location or vicinity (unit location specific informational data) of the unit based upon the correlated location positioning data received by the centralized database from the unit.

Barnes does not teach a device which displays a virtual environment and which allows a user to interact with the virtual environment. Claim 1 is herein amended to include this limitation of claims 6, 9, 11, 13, 15 and 17, and Applicant respectfully submits that this independent claim is now distinguishable over Barnes and is allowable. Claims 6, 9, 11, 13, 15 and 17 have been cancelled. Claims 2-5, 7-8, 10, 12, 14, 16 and new claim 84, which depend from amended claim 1 and therefore contain all of the limitations of claim 1, are also respectfully submitted to be distinguishable over Barnes and are likewise in allowable condition. As claims 74, 79-80, and 83 also contain this limitation, Applicant respectfully submits that these claims are also distinguishable over Barnes and are allowable.

New claims 85-87 relate to weather data which is correlated with unit location specific informational data, support for which is found in Para. 26. Barnes contains no mention of weather related data, and therefore Applicant respectfully submits that new claims 85-87 are not anticipated by Barnes and are therefore allowable.

New claim 88 relates to travel planning data which is correlated with unit location specific informational data, support for which is found in Paras. 54-57. Barnes does not teach travel planning, such that at least three of the group consisting of a local hotel, local air travel schedules, a local air travel ticket, local bus travel schedules, a local bus travel ticket, local train

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travel schedules, a local train travel ticket, a rental car, taxi-cab services, and local points of interest are available to a user. Therefore Applicant respectfully submits that new claim 88 is not anticipated by Barnes and is therefore allowable.

New claims 89-90 relate to audio and video reviews of businesses or products which are correlated with unit location specific informational data, support for which is found in Paras. 11, 43 and 68. Barnes does not teach video or audio reviews of restaurants, businesses or products. Therefore Applicant respectfully submits that new claims 89-90 are not anticipated by Barnes and are therefore allowable.

The Hoffberg reference cited by the Examiner relates to a device which senses certain environmental conditions. The Hoffberg reference has been cited against claims 21, 30, 38 and 46-54 in combination with the Barnes reference to teach use of a satellite in electronic communication with a centralized database and a unit for transmitting data therebetween. All of these rejected claims have been cancelled thereby rendering these rejections moot. Nevertheless, the Hoffberg reference, in combination with the Barnes reference, still does not teach the limitations discussed above with respect to the pending claims and, as such, Applicant respectfully submits that all of the pending claims, as amended, are distinguishable over Barnes in view of Hoffberg.

If any issue regarding the allowability of any of the pending claims in the present application could be readily resolved, or if other action could be taken to further advance this

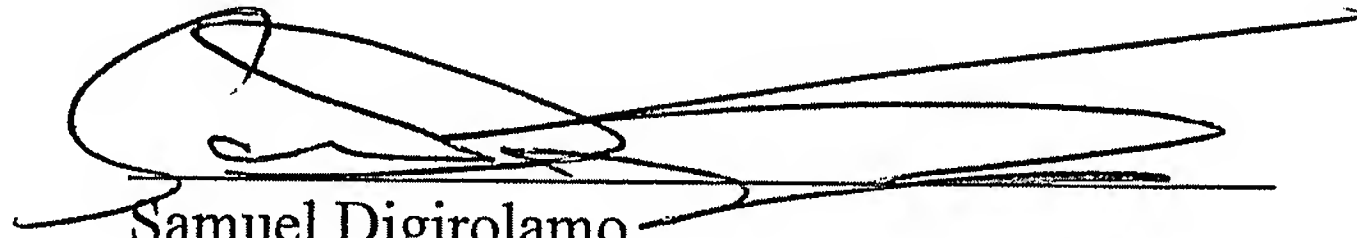
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application such as an Examiner's amendment, or if the Examiner should have any questions regarding the present amendment, it is respectfully requested that the Examiner please telephone Applicant's undersigned attorney in this regard.

Respectfully submitted,

Date: _____

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